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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,913	11/28/2001	Toshiyuki Nakagawa	1232-4789	1570
27123	7590	07/28/2006		EXAMINER
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			HANG, VU B	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/995,913	NAKAGAWA, TOSHIYUKI
	<b>Examiner</b>	<b>Art Unit</b>
	Vu B. Hang	2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 24 May 2006.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-16 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 11/28/2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

- This office action is responsive to the following communication: an RCE filed on 05/24/2006.
- Applicant's amendment received on 05/24/2006 has been entered and made of record.
- Currently, claims 1-16 are pending in the present application.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7-12, 14 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsui et al (US Patent 6,539,054 B1) in view of Ando (US Patent 5,848,239).

Regarding **Claim 1**, Matsui discloses a data processing apparatus for decoding and reproducing object data separated from a coded bit stream (see Fig.1 and Col.21, Line 47-54) including at least object data of moving image and audio (see Fig.27(c) and Col.10, Line 51-56), based on first time information for the synchronization management of the moving image and audio included in the object data (see Fig.27(c) and Col.10, Line 26-56), the data processing apparatus comprising: a time information calculating means for calculating second time information for synchronization management of the moving image and audio (see Fig.4, Col.11 and Line 4-21); a setting means for setting the second time information calculated by the time information calculating means as first time information (see Fig.5 (S51,S52,S53) and Col.10,

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Line 25-34); and a decoding means for decoding the object data using the second time information (see Fig.1 (11a,11b) and Col.11, Line 1-25). Matsui, however, fails to expressly disclose an obtaining means for obtaining a speed conversion request from the outside and obtaining information on a request time when the speed conversion request is obtained. Ando, however, discloses an obtaining means for obtaining a speed conversion request from the outside (see Fig.1 (31,80) and Col.2, Line 54-66) and obtaining information on a request time when the speed conversion request is obtained (see Col.4, Line 44-54), wherein the speed conversion request includes information on speed conversion magnification (see Col.3, Line 62-64 and Col.7, Line 3-9).

Matsui and Ando are combinable because they are from the same field of endeavor, namely data reproduction systems. At the time of the invention, it would have been obvious for one skilled in the art to use the speed conversion magnification information and the request time information to calculate the second time information for the synchronization management of the moving image and audio data. The motivation for doing so would be to create a means for allowing a user to scan through a digital data component at a specified speed. For example, fast forwarding, rewinding and slow motioning a video object at a specified speed.

Regarding **Claims 2 and 9**, Matsui further discloses that the coded bit stream includes a bit stream based on MPEG-4 (see Col.2, Line 16-27).

Regarding **Claims 3 and 10**, Matsui further discloses that the object data of audio includes data coded by high efficiency compression coding according to a coding method having a reproduction speed conversion (see Col. 1, Line 29-30 and Col.2, Line 16-27).

Regarding **Claims 4 and 11**, Matsui further discloses a means for extracting the first time information from an access unit of the object data fed into a buffer for decoding target data (see Fig.1 (11) and Col.21, Line 47-64).

Regarding **Claims 5 and 12**, Matsui further discloses that the decoding means of data objects has a reproduction speed conversion function (see Col. 1, Line 29-30 and Col.12, Line 47-51).

Regarding **Claims 7 and 14**, Matsui further discloses a notifying means for notifying the decoding means for the object data of audio, of information from an outside source (see Fig.1 and Col.5, Line 23-38).

Regarding **Claim 8**, Matsui discloses a data processing method for separating and decoding a bit stream including object data of one or plural coded moving image and audio, in units of the object data, compositing the one or plural object data thus decoded, and outputting the result of composition (see Fig.1 and Col.1, Line 29-33), with the data processing method comprising: an extraction step of specifying and extracting an area of first time information for synchronization management of the moving image and audio from the object data (see Fig.1 (11) and Col.21, Line 47-54); a setting step of calculating second time information for synchronization management of the moving image and audio and setting the second time information as the first time information (see Fig.18 (1162b), Col.10, Line 25-30 and Col.21, Line 47-54); and a decoding step of decoding the object data based on the second time information (see Fig.18(1161b) and Col.10, Line 32-36). Matsui, however, fails to expressly disclose an obtaining step for obtaining a speed conversion request from the outside and obtaining information on a request time when the speed conversion request is obtained. Ando,

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however, discloses an obtaining step for obtaining a speed conversion request from the outside (see Fig.1 (31,80) and Col.2, Line 54-66) and obtaining information on a request time when the speed conversion request is obtained (see Col.4, Line 44-54), wherein the speed conversion request includes information on speed conversion magnification (see Col.3, Line 62-64 and Col.7, Line 3-9).

Matsui and Ando are combinable because they are from the same field of endeavor, namely data reproduction systems. At the time of the invention, it would have been obvious for one skilled in the art to use the speed conversion magnification information and the request time information to calculate the second time information for the synchronization management of the moving image and audio data. The motivation for doing so would be to create a means for allowing a user to scan through a digital data component at a specified speed. For example, fast forwarding, rewinding and slow motioning a video object at a specified speed.

**Claim 15**, Matsui further discloses a computer-readable program for causing a computer to execute a data processing method set out in Claim 8 (see Col. 14, Line 65-67 and Col.15, Line 1-4).

**Claim 16** recites identical features as Claim 8 except Claim 16 is a computer readable medium. Thus, arguments similar to that presented above for Claim 8 is equally applicable to Claim 16 because without a computer readable medium to store a program that makes it possible for the method or apparatus to operate, the method taught by Matsui et al. and Kato and the cited rejection of Claim 8 could not function.

Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsui et al (US Patent 6,539,054 B1) in view of Ando (US Patent 5,848,239), and in further view of Kato (US Patent 6,584,125 B1).

Regarding **Claims 6 and 13**, Matsui further discloses that the time information includes a Decoding Time Stamp (see Col.21, Line 55-64) but Matsui and Ando fail to expressly disclose that the time information includes a Composition Time Stamp. Kato, however, discloses that the time information includes a Composition Time Stamp (see Col.2, Line 40-44).

Matsui, Ando and Kato are combinable because they are from the same field of endeavor, namely image reproduction apparatus. At the time of the invention, it would have been obvious for one skilled in the art to include the Composition Time Stamp in the time information of data objects. It is known in the art that the time stamps for decoding are used for “interpolative prediction” and that the time stamps for data object composition are used to represent the timing at which decoded data objects can be multiplexed. It is also known in the art that the decoding time stamp and the composite time stamp are used together to determine how reproduced image data are displayed. Therefore, it is obvious for one skilled in the art to include both time stamps in the time information of the image and audio data objects.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vu B. Hang whose telephone number is (571) 272-0582. The examiner can normally be reached on Monday-Friday, 9:00am - 6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vu Hang  
Assistant Examiner



JOSEPH R. POKRZYWA  
PRIMARY EXAMINER